

Application No. 09/266,202

particles have ratios of the dimension along the major axis to the dimension along the minor axis less than about 2.

38. (New) The collection of particles of claim 2 wherein the zinc oxide has a stoichiometry of ZnO.
39. (New) The collection of particles of claim 2 wherein the zinc oxide has a stoichiometry of ZnO<sub>2</sub>.
40. (New) The collection of particles of claim 2 wherein the zinc oxide has a Zincite crystal structure.

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REMARKS

Claims 1-5, 7-9, 25-30 and 36-40 are pending. New claims 36-40 correspond with previous claims 3 and 26-29, respectively, with a dependency from claim 2 rather than claim 1. No new matter is introduced by the new claims. All of the pending claims stand rejected. Applicants respectfully request reconsideration of the rejection in view of the following comments.

Rejection Over Iga

The Examiner rejected claim 2 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,770,113 to Iga et al. (the Iga patent). In particular, the Examiner asserts that the Iga patent teaches zinc oxide particles with an average size less than "about" 45 nm. Applicants respectfully assert that this is not true. Applicants respectfully request reconsideration of the rejection based on the following comments.